



Entered on Docket  
December 31, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

Electronically Filed on \_\_\_\_\_

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Deutsche Bank National Trust Company, as trustee of the Morgan Stanley Mortgage Loan Trust 2005-6AR  
09-77566

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Robert J. Fitz and Laura Fitz

Debtors.

BK-S-09-30015-lbr

Date: 12/1/2009  
Time: 1:00 pm

Chapter 7

**ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor Deutsche Bank National Trust Company, as trustee of the Morgan Stanley Mortgage Loan Trust 2005-6AR, its assignees and/or successors in interest, of the subject property, generally described as 1474 Lodgepole Dr., Henderson, NV 89014, and legally described as follows:

Lot SEVENTY-ONE (71) in Block TWO (2) of WHITNEY RANCH EAST UNIT 4, as shown by Map thereof on File in Book 46 of Plats, Page 3, in the Office of the County Recorder of Clark County, Nevada, and as Amended by Certificate of Amendment Recorded May 30, 1990 in Book 900530 of Official Records, Clark County, Nevada Records as Document No. 00850.

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2 **IT IS FURTHER ORDERED, ADJUDGED and DECREED** that the Secured Creditor shall  
3 give Debtors at least five business days' notice of the time, place and date of sale.

4 DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2009

5 Submitted by:

6 **WILDE & ASSOCIATES**

7 By: Gregory L. Wilde, Esq

8 **Gregory L. Wilde, Esq.**

9 Attorney for Secured Creditor

208 South Jones Boulevard

Las Vegas, Nevada 89107

10 APPROVED / DISAPPROVED

11 By: \_\_\_\_\_

12 Sam Benevento

13 1945 E. Warm Springs Road

Las Vegas, NV 89119

14 Attorney for Debtor(s)

15 Nevada Bar No: \_\_\_\_\_

16 APPROVED / DISAPPROVED

17 By: \_\_\_\_\_

18 Yvette Weinstein

19 6450 Spring Mtn. Rd. #14

Las Vegas, NV 89146

20 Chapter 7 Trustee

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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: \_\_\_\_\_

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor